



## COURT OF APPEALS

SANDEE BRYAN MARION  
CHIEF JUSTICE  
KAREN ANGELINI  
MARIALYN BARNARD  
REBECA C. MARTINEZ  
PATRICIA O. ALVAREZ  
LUZ ELENA D. CHAPA  
IRENE RIOS  
JUSTICES

FOURTH COURT OF APPEALS DISTRICT  
CADENA-REEVES JUSTICE CENTER  
300 DOLOROSA, SUITE 3200  
SAN ANTONIO, TEXAS 78205-3037  
WWW.TXCOURTS.GOV/4THCOA.ASPX

KEITH E. HOTTLE,  
CLERK OF THE  
COURT

TELEPHONE  
(210) 335-2635

FACSIMILE NO.  
(210) 335-2762

September 26, 2018

Scott F. Monroe  
District Attorney, 198th District Court  
402 Clearwater Paseo, Suite 500  
Kerrville, TX 78028  
\* DELIVERED VIA E-MAIL \*

M. Patrick Maguire  
M. Patrick Maguire, P.C.  
945 Barnett St.  
Kerrville, TX 78028  
\* DELIVERED VIA E-MAIL \*

Honorable Rex Emerson  
198th District Court  
Kerr County Courthouse  
700 Main Street 2nd Fl  
Kerrville, TX 78028  
\* DELIVERED VIA E-MAIL \*

Robbin Burlew  
Kerr County District Clerk  
700 Main Street  
Kerrville, TX 78028  
\* DELIVERED VIA E-MAIL \*

Paula Beaver  
Court Reporter  
P.O. Box 233  
Comfort, TX 78013  
\* DELIVERED VIA E-MAIL \*

RE: Court of Appeals Number: 04-18-00649-CR  
Trial Court Case Number: B15-684  
Style: Kyle Dean Kuykendall  
v.  
The State of Texas

Enclosed please find the order which the Honorable Court of Appeals has issued in reference to the above styled and numbered cause.

If you should have any questions, please do not hesitate to contact me.

Very truly yours,  
KEITH E. HOTTLE, CLERK

A handwritten signature in cursive script, reading "Jamie Osio".  
\_\_\_\_\_  
Jamie Osio  
Deputy Clerk, Ext. 53262



**Fourth Court of Appeals**  
**San Antonio, Texas**

September 26, 2018

No. 04-18-00649-CR

Kyle Dean **KUYKENDALL**,  
Appellant

v.

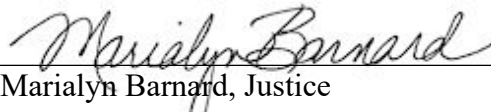
The **STATE** of Texas,  
Appellee

From the 198th Judicial District Court, Kerr County, Texas  
Trial Court No. B15-684  
Honorable Rex Emerson, Judge Presiding

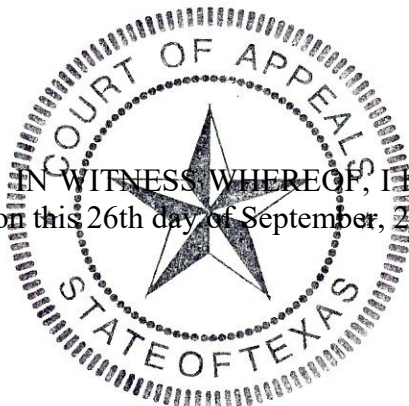
**O R D E R**

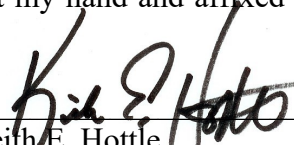
The trial court filed a certification in which it states that this “is a plea-bargain case, and the defendant has NO right of appeal.” We ordered the trial court clerk to file a condensed clerk’s record to allow this court to determine whether the trial court’s certification is accurate. Based on the clerk’s record filed by the trial court clerk, we cannot make this determination. Accordingly, we **ORDER** the court reporter, Paula Beaver, to file the reporter’s record in this court on or before **October 16, 2018**.

All other appellate deadlines are suspended pending further order of this court. We **order** the clerk of this court to serve a copy of this order on the trial court, all counsel, the trial court clerk, and the court reporter.

  
Marialyn Barnard, Justice

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 26th day of September, 2018.



  
Keith E. Hottle  
Clerk of Court